

## **Land Use Plan Amendment Procedure**

### **Durham County**

1. **APPLICATION** – The Governing Bodies and the Durham Planning Commission will consider amendments to the Land Use Plans every 3 months in accordance with a schedule published annually by the Planning Department. Applications must be filed with the Planning Department no later than 45 days before the scheduled meeting of the Planning Commission and be accompanied by the appropriate fee. It is expected that the applicant or a representative of the applicant will appear at the meetings to explain why the land use plan should be changed.
2. **ACTION** – The proposed Plan amendment and rezoning request will be presented at a regularly scheduled Quarterly Meeting of the Durham Planning Commission [Both the Zoning Committee and Planning Committee attend the Quarterly meetings]. A decision will normally be taken on the same day as the meeting and then referred to the appropriate Governing Body for a final decision. The JCCPC will be informed of the actions.
3. **EFFECTIVE DATE** – Plan amendment approval by the Governing Body may be contingent upon conditions specified by the approving body. The effective date may be immediate or may be a date otherwise specified in the approval.
4. **STAFF REPORT** – The Planning Department rezoning staff will include the proposed amendment in the analysis of the rezoning request. A recommendation may be made with the report or may be delayed until after hearing the public testimony.
5. **NOTIFICATION** – Prior to the consideration of the amendment by the Planning Commission, the applicant will notify all property owners within the area to be changed and within 600 feet of the boundary of the change, will be informed of the proposed amendment. All neighborhood associations within 1 mile of the proposed amendment will also be notified. The applicant shall provide the Planning staff with a Certificate of Mailing from the Post Office or, if hand delivered, the signature of the property owner receiving the notice. The Planning staff will place an advertisement in a local newspaper. Similar notification procedures are required prior to the consideration of the amendment by the Governing Body.
6. **MEETING TESTIMONY** – At the meeting, the applicant will make a presentation and give the reasons for the request. Interested persons will also be allowed to speak. Speakers may be limited to a maximum speaking time, depending on the number of individuals giving testimony. Groups are requested to select a spokesperson for the group. Staff will follow with a brief summary of the staff report and a recommendation.
7. **COORDINATION OF PLAN AMENDMENTS** – Annually, the Planning staff will conduct a public meeting before each governing body for the purpose of rectifying any differences between the Adopted Land Use Plans of the City and County. There will be public notification of the meeting and public participation will be allowed.